

Deutsche Bank Trust Company Americas, in its capacity as successor
indenture trustee for certain of Senior notes, et al

INDEX#: 1:11-CV-04784-RJH

against

Plaintiff(s)

Adaly Opportunity Fund TD Securities Inc. c/o Adaly Investment Management
Co.,

Defendant(s)

AFFIDAVIT OF SERVICE

State of New York }
County of New York } ss.:

The undersigned, being duly sworn, deposes and says;
Deponent is not a party herein, is over 18 years of age and resides in Pomona, New York

That on 11/8/2011 at 12:44 PM at 575 Madison Avenue, 21st Fl, New York, NY 10022
deponent served a(n) **Summons in a Civil Action and Second Amended Complaint, New York Amended Exhibit A**
on **Lawrence B. Bittenwieser Esq., As Trustee Of The Helen Bittenwieser Trust 7/28/38** defendant therein named,
by delivering thereat a true copy of each to **Miguel Perez [co-worker]**, a person of suitable age and discretion. Said premises is
defendant's actual place of business within the state.

Within 20 days of such delivery, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at
defendant's actual place of business at **575 Madison Avenue, 21st Fl, New York, NY 10022** and deposited said envelope in an official
depository under the exclusive care and custody of the U.S. Postal Service within New York State. The Envelope bore the legend
"Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from
an attorney or concerned an action against the defendant.

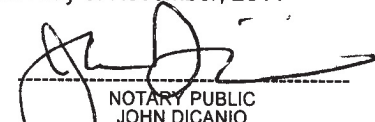
Mailed Copy on 11/15/2011 at 1:29 PM
c/o **Katten Muchin Rosenman LLP**


Description of Person Served:

Gender: Male
Skin: Brown
Hair: Black
Age: 22 - 35 Yrs.
Height: 5' 4" - 5' 8"
Weight: 161-200 Lbs.
Other:

MILITARY SERVICE: Person spoken to was asked whether the recipient was in the military service of the State of New York
or the United States and received a negative reply. Upon information and belief based upon the conversation and
observation as aforesaid deponent avers that the recipient is not in the military service of the State of New York or the United
States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to before me this
15th day of November, 2011


NOTARY PUBLIC
JOHN DICARIO
NOTARY PUBLIC STATE OF NEW YORK
WESTCHESTER COUNTY
LIC. # 01DI4977768
COMM EXP. 2/11/2015


Seth Botwinick
License No. 1216601